REMARKS

Claims 1, 2 and 14-28 are pending in this Application. Of these claims, claims 1, 2 and 14 are being prosecuted and claims 15-28 have been withdrawn from consideration. By this Amendment, claim 1 has been amended. Support for this amendment can be found, for example, at page 14, lines 29 and 30. No new matter is added by this amendment. Further this amendment is being made to make clearer the present invention and not for reasons related to patentability.

Applicants also continue to request that upon allowance of any of the product claims, that the claims directed to method of using the claimed product be rejoined.

35 U.S.C. §112, First Paragraph, Rejection of Claims 1, 2 and 14

Claims 1, 2 and 14 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such as way as to enable one skilled in the relevant art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Although not acquiescing in the stated reasons for the rejection of claims 1, 2 and 14, claim 1 has been amended to recite that the claimed polypeptide retains at least glutathione conjugating activity. At page 50, lines 24-29, the Specification provides an assay for determining glutathione conjugating activity. Accordingly, one skilled in the art could easily and routinely determine if a polypeptide that encompasses SEQ ID NO:1 with additional sequences retains glutathione conjugating activity.

Contrary to the stated reasons for support of this rejection, the relative skill of those in the art is very high and the amount of direction or guidance needed to be disclosed in the Specification to make a polypeptide that encompasses SEQ ID NO:1 with additional sequences which has at least glutathione conjugating activity is relatively minimal. For example, at page 18, line 26 to page 19, line 2, there is provided an example of this claimed polypeptide, i.e. a fusion protein. This fusion protein comprises a nucleic acid sequence encoding GSTS ligated to a heterologous sequence to encode a fusion protein. It is also mentioned that this fusion protein may be engineered to contain a cleavage site located between the GSTS encoding sequence and

the heterologous sequence. The making of a fusion protein is a routine procedure that is well known to those skilled in the art. As mentioned above, this fusion protein could be simply assayed for glutathione conjugating activity. Accordingly, the claimed subject matter is described in the Specification in such a way that one skilled in the art can make and/or use the claimed invention. Therefore, reconsideration and withdrawal of this rejection to the claims are respectfully requested.

35 U.S.C. §112, First Paragraph, Rejection of Claims 1(a), 2 and 14

Claims 1(a), 2 and 14 were rejected under 35 U.S.C. §112, first paragraph, because allegedly the instant Specification does not contain a written description of the invention in such full, clear, concise and exact terms or in sufficient detail that one skilled in the relevant art can reasonably conclude that the inventors, at the time the application was filed, had possession of the claimed invention.

Contrary to the stated reasons for support of this rejection, the instant Specification **does provide** a written description of a polypeptide that encompasses SEQ ID NO:1 with additional sequences which has at least glutathione conjugating activity. For example, at page 18, line 26 to page 19, line 2, there is provided an example of this claimed polypeptide, i.e. a fusion protein. This fusion protein comprises a nucleic acid sequence encoding GSTS ligated to a heterologous sequence to encode a fusion protein. It is also mentioned that this fusion protein may be engineered to contain a cleavage site located between the GSTS encoding sequence and the heterologous sequence. The making of a fusion protein is a routine procedure that is well known to those skilled in the art. As mentioned above, this fusion protein could be simply assayed for glutathione conjugating activity.. Accordingly, the instant Specification does contain a written description of the invention in sufficient detail that one skilled in the relevant art can reasonably conclude that the inventors, at the time the application was filed, had possession of the claimed invention. Therefore, reconsideration and withdrawal of this rejection to the claims are respectfully requested.

CONCLUSION

In light of the above amendments and remarks, Applicants submit that the present application is fully in condition for allowance, and request that the Examiner withdraw the outstanding rejections. Early notice to that effect is earnestly solicited.

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact Applicants' Attorney at (650) 855-0555.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. **09-0108.**

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 has been amended as follows:

1. (Four times Amended) A purified polypeptide that retains at least glutathione conjugating activity comprising an amino acid sequence selected from the group consisting of:

a) an amino acid sequence of SEQ ID NO:1 having at least glutathione conjugating activity, and

b) a naturally-occurring amino acid sequence having at least 90% amino acid sequence identity to the sequence of SEQ ID NO:1, and [which retains] has at least glutathione conjugating activity.